1662

THE CASE OF THE Commiſſioners for Hackney-Coaches.

BY the Act of Parliament, the Commiſſioners for Licenſing and Regulating Hackney-Coaches, are to Licenſe 400 Hackney-Coaches and no more; and are to take care not to Licenſe any perſon that uſeth any other Trade or Occupation. And if they Licenſe more than Four Hundred, the Commiſſioners are to forfeit One Hundred pounds a piece, for every Licenſe above the number. And the ſaid Commiſſioners are required to take an oath for the due and impartial execution of the Truſts, by the Act to them committed.

That the Commiſſioners being appointed by his Majeſty to Act in the ſaid Commiſſion, had ſeveral Petitions preſented to them by fit and qualified Coachmen for Licenſes, who complained that men of ſeveral other Trades and Occupations contrary to the meaning of the Act, had gotten Licenſes into their hands and did ſeveral of them make *Affidavits* before the Barons of the *Exchequer*, and did Petition His Majeſty and His Council therein; who thereupon made ſeveral References to the Commiſſioners, and Recommended ſeveral perſons to have Licenſes.

That the Commiſſioners to avoid Clamour, and that they might Anſwer the true deſigns of the Act, did take advice of moſt of the Eminenteſt Councel at Law, about a method of proceeding to Licenſe, who were of opinion, That Perſons uſing any other Trade or Occupation ought not to be Licenſed: And did adviſe, That if any ſuch there were, not to renew their Licenſes, of which ſort ſome being, were refuſed to be again Licenſed; the conſtant practice having been to Licenſe for a year only, and to Renew the Licenſe to every qualified Coach-man; and there hath been a Tryal and Special Verdict in the *Exchequer*, and Judgment againſt the Coach-men who pretended, That if they were once Licenſed, they were in for their Lives, and notwithſtanding ſeveral complaints of abuſes done to Paſſengers, and refuſal of paying their Rents, could not be turned out.

But the Commiſſioners who execute their Imployments *gratis* never had or required any Money or other Conſideration, for Licenſing any Hackney-Coach-man, nor do they pretend or ever did turn out any perſon who continues in the qualification mentioned in the Act, nor did ever refuſe to Renew Licenſes to ſuch perſons, nor to Licenſe any but qualified perſons, nor have they Acted otherwiſe than by the Directions of the Act; the practice ever ſince the making thereof, and the opinion of many the moſt Eminent Councels at Law.